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EXAMINER

REKSTAD, ERICK J

ART UNIT PAPER NUMBER

2621

DATE MAILED: 09/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/854,033	<b>Applicant(s)</b> MONROE ET AL.	
	<b>Examiner</b> Erick Rekstad	<b>Art Unit</b> 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 12 July 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

This is a Non-Final Rejection in response to the RCE filed on July 12, 2006 wherein claims 1-41 are presented for examination.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-41 are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for parts a-d of claim 1, does not reasonably provide enablement for part e of claim 1. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make the invention commensurate in scope with these claims. The specification supports a protocol translator for use with a wired network connected to multiple cameras wherein the protocol receives a request through the wireless from a portable unit. The protocol then selects a single video stream to be sent over the wireless network to the portable unit (Paragraph [0068], Fig. 1). The claimed protocol translator requires receiving a request identifying desired ones of the signals, connects to the desired ones of the signals on a wired network and forwards the desired ones of the signals to the portable monitoring station using the wired network.

As defined by the claim "signals" represents video/images obtained by a remote camera. The specification does not support the selecting of ones of the signals from a

single camera. The specification only supports the selection of a video stream from a single camera (Paragraph [0068]).

The claims requirement of the protocol translator connected to the desired ones of the signals on a wired network is ambiguous. The specification supports the protocol translator connected to a wired network of multiple cameras (Paragraph [0068], Figure 1). This wired network, which is connected to the wireless hubs, is not claimed. Therefore the scope of the claim is unclear as there is no mention of how or where the claimed wired network is connected to the rest of the surveillance system.

Lastly, the claim's statement of forwarding the desired ones of the signals to the portable monitoring station using the wired network is not supported. As shown above, the wired network has not been properly claimed. Further, the portable monitoring station has not been claimed to be connected to a wired network. The claim and specification only support the portable monitoring station connected through a wireless network and receiving the signals over this network.

[claims 2-41]

Are rejected based on the dependence on the rejected claim 1.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 8-14, 21-24 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,385,772 to Courtney in view of US Patent 6,675,386 to Hendricks et al.

[claim 1]

In view of the 112 rejection above, this rejection is based on the claim as best understood by the examiner.

As shown in Figure 1, Courtney teaches a surveillance system (10) having a wireless, portable monitoring module (46) for use in connection with a video/image surveillance system (24, 12, 13 and 19), comprising:

- a. A remote camera for collecting and transmitting digital signals representing video/images in the range of the camera (12 and 13);
- b. A hub for receiving the signals (38);
- c. A transmitter associated with the hub for transmitting the signals via a wireless transmission system (36);
- d. A portable monitoring station having a receiver associated herewith and adapted for receiving the signals transmitted by the transmitter for displaying the signals as a video/image display thereat (48, 46) (Col 1 Line 65-Col 2 Line 5, Col 3 Lines 18-26, Col 4 Lines 3-13 and 27-45).

Courtney further teaches the ability of the user to select a desired camera stream to view using the portable unit. This selection is used by the server (24) to only output the video stream from the desired camera over a wireless network to the portable unit (Col 4 Lines 35-45 and Lines 52-58, Col 5 Line 52-Col 6 Line 3, Figs. 1 and 3). It is

viewed by the examiner that the server(24) satisfies the requirements of a protocol translator.

Courtney does not teach the use of a wireless hub. As shown in Figures 7A and 7B, Hendricks teaches the connection of a plurality of cameras (160, 162, 164, and 166) connected to a hub (170) using a wireless connection and further connecting the hub (170) to a network (120) wirelessly in order to provide an apparatus for video access and control over a computer network (Col 6 Lines 12-17 and Col 10 Lines 5-25). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system of Courtney with the hub of Hendricks in order to provide an apparatus for video access and control over a computer network as taught by Hendricks.

[claim 2]

Courtney teaches including a plurality of cameras associated with the hub (12 and 13 in Fig. 1), each of said cameras transmitting a unique signal to the hub and wherein the portable monitoring station is adapted for selecting any of the unique signals (Col 3 Lines 28-40, Col 5 line 52-Col 6 Line 3)

[claim 8]

Courtney and Hendricks teach the surveillance system of claim 1. Courtney further teaches including a server (24, Figure 1) associated with the hub.

[claims 9 and 10]

As shown above Courtney and Hendricks teach the surveillance system of claim 8. The server of Courtney (24, Fig. 1) does not specifically show the server adapted for

archiving the signals. As shown in Figure 2, Hendricks teaches the digital storage (132) attached to the server (130) for archiving the signals (Col 6 Lines 38-43). Hendricks further teaches the use of the stored video in order to provide additional information not available in the live video (Col 18 Lines 40-61, Figs. 17-18). As shown by Hendricks, the user makes a selection which requires the server to provide the stored video as required by claim 10. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system of Courtney with the storage system of Hendricks in order to provide additional information not available in the live video.

[claims 11 and 12]

Courtney and Hendricks both teach the use of the internet and networking of system through land lines and wireless means as shown above. It would have been obvious to one of ordinary skill in the art at the time of the invention to use 802.11 or wireless IP as these are well known networking means in the art (Official Notice).

[claims 13 and 14]

Courtney further teaches the control means wherein the control signals sent by the portable module include camera control signals for controlling the camera (Col 3 Lines 2-40, Col 5 line 45-Col 6 Line 29, Fig. 3). As shown in Figure 3, the controls include pan (83 and 84), tilt (81 and 82), and zoom (85 and 86) as required by claim 14.

[claims 21 and 22]

As shown above Courtney teaches the surveillance system of claim 1. Courtney further teaches the portable module is a cellphone (46, Fig. 2) (Col 4 Line 19-27). Courtney further teaches a base station (36, Fig.2) used for wireless communication

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with the portable module through a radio frequency cellular telephone link. Though Courtney teaches only one base station it would have been obvious to one of ordinary skill in the art that the connection could be made to any base station on a cellular telephone network in order to provide the cellphone user access to the camera anywhere the cellular service is provided (Official Notice). Further, the telephone network is a well known switching network as required by claim 22.

[claim 24]

Courtney suggest the use of providing the portable unit a decoder in order to provide mpeg-4 video which provides more real-time video information (Col 7 Lines 20-36). Though Courtney does not specifically teach the use of a buffer with the decoder it is well known in the art to provide a buffer with the decoder in order to prevent overflow and underflow of the decoder (Official Notice).

[claim 28]

Courtney further teaches the use of the ancillary component (19) used to inform the base station and further the portable module (Col 6 Lines 38-53).

[claim 23]

Courtney teaches the surveillance system of claim 1. Courtney does not teach the selection of a signal from multiple signals. Hendricks teaches the use of a processor (240, Fig. 9B) in order to determine the capabilities of the users device in order to determine which signal to provide the user (Col 17 Lines 39-44, Fig. 15). It would have been obvious to one of ordinary skill in the art at the time of the invention to



combine the surveillance system of Courtney with the signal selection of Hendricks in order to provide a user with a signal based on the user device's capabilities.

Claims 3-7 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Courtney and Hendricks as applied to claim 1 above, and further in view of US Patent 6,345,279 to Li et al. and US Patent 6,385,244 to Morad et al.

[claim 3]

Courtney and Hendricks teach the use of a camera as shown above for claim 1. Courtney teaches the transformation of the images from the camera into viewable images for the portable display (Col 4 Line 59-Col 5 Line 25, Fig. 2). Courtney does not teach the transformation performed within the camera. Courtney further does not teach the portable monitoring station adapted for selecting among the plurality of distinctive signals.

Morad teaches the use of image processing units within a video camera (Col 14 Line 45-Col 15 Line 26, Fig. 12). Morad further teaches the camera contains a video input processor (106) with programmable resolution (SIF, QSIF, and the like) (Col 11 Line 53-Col 12 Line 11, Fig. 9). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the camera of Morad with the system of Courtney and Hendricks in order to adjust the resolution of the video. Morad, Courtney and Hendricks do not teach the portable monitoring device adapted for selecting any of the unique signals.

Li teach a transcoding method in which the video output is selected based on the portable monitoring device's capabilities so that the video can be viewed on different

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devices (Col 2 Lines 20-25, Col 6 Lines 8-41, Fig. 3). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system of Morad, Courtney and Hendricks with the transcoding system of Li in order to provide the video to different devices.

[claims 4-7]

Morad teaches the programmable resolution as being SIF or QSIF as required by claims 4 and 5 (Col 12 Lines 10-11). Morad further teaches the encoding step can be JPEG as required by claim 6 (Col 15 Lines 22-26). Morad teaches the video can start as an analog video signal (Col 15 Lines 3-6). It would have been obvious to one of ordinary skill in the art at the time of the invention to provide the analog video signal as broadcasting of analog video is well known in the art (Official Notice).

[claim 31]

Though Courtney, Li and Morad do not specifically teach an access control signal it would have been obvious to one of ordinary skill in the art at the time of the invention to use a security means in order to prevent unauthorized users from accessing the images (Official Notice).

Claims 15-18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Courtney and Hendricks as applied to claim 13 above, and further in view of US Patent 6,285,398 to Shinsky et al.

[claims 15-18]

Courtney teaches the control of pan, tilt and zoom for a camera as shown above. Courtney and Hendricks do not teach the control of focus, brightness, contrast, and hue.

Shinsky teaches the control of the brightness, contrast and hue of a camera through a host computer using a graphical user interface (Col 9 Lines 40-56). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system of Courtney and Hendricks with the control means of Shinsky in order to further provide camera controls to adjust the display to the preferences of the user. It would have been further obvious to include control of the focus of the camera as this is a well known parameter used by a user to adjust the display (Official Notice).

[claim 19]

As shown above Courtney, Hendricks and Shinsky teach the multiple number of camera controls provided to a user of a portable module. It would have been obvious to one of ordinary skill in the art at the time of the invention to use these multiple controls in order to position and focus the camera to present the desired view to the user (Official Notice).

Claim 20 rejected under 35 U.S.C. 103(a) as being unpatentable over Courtney and Hendricks as applied to claim 13 above, and further in view of US Patent 5,926,209 to Glatt.

[claim 20]

Courtney and Hendricks teach the system of claim 13, wherein the user can control the pan (83 and 84), tilt (81 and 82), and zoom (85 and 86) of a camera , as shown in Figure 3. Courtney and Hendricks do not teach the control signals include an encoder configuration controls.

Glatt teaches the use of the control signals for a camera (pan, tilt and zoom), in a surveillance system, to configure the encoder in order to reduce computational and memory overhead required for compression of video data (abstract, Col 1, Lines 64-67). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the surveillance system of Courtney and Hendricks with the encoder control means of Glatt in order to reduce computational and memory overhead required for compressing the video.

Claims 25-27, 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Courtney and Hendricks as applied to claims 24 and 28 above, and further in view of US Patent 6,512,919 to Ogasawara.

[claims 25-27]

Courtney and Hendricks teach the surveillance system of claim 24. Courtney does not teach the indication of the signal strength. Ogasawara teaches the use of a video phone which provides an indication of the signal strength (Col 7 Line 64-Col 8 Line 17). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the signal strength indicator with the portable unit of Courtney as the portable unit of Courtney is a cellphone. It would have further been obvious to one of ordinary skill in the art at the time of the invention to use the stored info in the buffer for determining signal strength as the buffer contains the signal coming into the cellphone (Official Notice).

[claims 29 and 30]

As shown above, Courtney teaches the surveillance system of claim 28.

Courtney does not teach the use of a bar-code scanner or magnetic strip reader.

Ogasawara teaches the use of a bar-code reader (20, Fig. 3) and magnetic strip reader (27, Fig. 3) on the portable module for transmitting barcode information to the server in order to process an order for products (Col 5 Lines 30-59, Fig. 1 and 3). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the portable unit of Courtney with the bar-code reading system of Ogasawara in order to provide the ability to order supplies from a remote location.

Claims 32-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Courtney, Hendricks, Li and Morad as applied to claim 7 above, and further in view of US Patent Application Publication 2001/0005684 to Inkinen et al.

[claims 32 and 34]

As shown above Courtney, Hendricks, Li and Morad teach the system of claim 7. Courtney, Hendricks, Li and Morad do not teach the portable unit containing a camera. As shown in Figure 3, Inkinen teaches a similar portable unit which contains a camera (2) to enable the user of the portable unit to video conference between two or several points via telecommunication networks (Paragraphs [0005] and [0024]). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the camera of Inkinen with the portable system of Courtney, Li and Morad in order to provide the ability to video conference.

[claim 33]

As shown above Courtney, Hendricks, Li, Morad and Inkinen teach the surveillance system of claim 32. The server of Courtney (24, Fig. 1) does not specifically show the server adapted for archiving the signals. As shown in Figure 2, Hendricks teaches the digital storage (132) attached to the server (130) for archiving the signals (Col 6 Lines 38-43). Hendricks further teaches the use of the stored video in order to provide additional information not available in the live video (Col 18 Lines 40-61, Figs. 17-18). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system of Courtney, Li, Morad and Inkinen with the storage system of Hendricks in order to provide additional information not available in the live video.

Claims 35-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Courtney, Hendricks, Li, and Morad as applied to claim 7 above, and further in view of US Patent Application Publication 2001/0026223 to Menard et al.

[claims 35-41]

Courtney, Hendricks, Li and Morad teach the system of claim 7, as shown above. Courtney further teaches the ability to contact the central server regarding an alarm (Col 7 Lines 46-53). Courtney, Hendricks, Li and Morad do not teach the notification signal is any combination of Security Assist, Medical Assist, Fire Assist, Intercom, or Video Intercom. Courtney, Hendricks, Li and Morad further do not teach the multiple notification signal means.

As shown in Figure 1, Menard teaches a portable unit (200) which allows for the notification of a request for Security, Medical and Fire Assistance to a server as

required by claims 35 and 36 (Paragraphs [0024], [0025] and [0033]). Menard further teaches the use of pagers and telephones for communication with the user and an end-user (Paragraphs [0010], [0025], [0029]). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the portable system of Courtney, Hendricks, Li and Morad with the functions of the portable system of Menard in order to provide a user friendly means for performing emergency requests. It would have been obvious to one of ordinary skill in the art to perform different means of contact based on the desired use of the system in which these means could be pagers, telephones, or email (Official Notice).

### ***Conclusion***

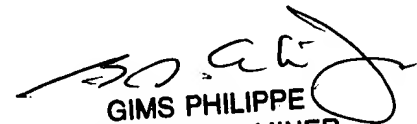
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erick Rekstad whose telephone number is 571-272-7338. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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